

CITY OF GIG HARBOR

ORDINANCE NO. 625

AN ORDINANCE ADOPTING STATE STATUTE RCW 46.61.517, WHICH PROVIDES THAT EVIDENCE OF A PERSON'S REFUSAL TO SUBMIT TO A BREATH TEST IS ADMISSIBLE INTO EVIDENCE AT A SUBSEQUENT CRIMINAL TRIAL, AND SETTING AN EFFECTIVE DATE.

WHEREAS, RCW 46.61.517 states that the refusal of a person to submit to a test of the alcoholic content of the person's blood or breath under RCW 46.20.308 is admissible into evidence at a subsequent criminal trial, and;

WHEREAS, breath test evidence is an important part of any DWI prosecution, and;

WHEREAS, the City of Gig Harbor relies on the Model Traffic Code and periodically enacts other state statutes that are not part of the code, and;

WHEREAS, the City of Gig Harbor has not yet adopted RCW 46.61.517, and;

WHEREAS, the City of Gig Harbor finds it necessary to definitively guarantee the admissibility of such evidence;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Section 10.04.010 is hereby amended as follows:


...

RCW 46.61.517, including all future amendments thereto.


Section 2. This ordinance shall be in full force and take effect five (5) days after publication, according to law.

Ordinance No. 625
Page 2

PASSED by the City Council of the City of Gig Harbor and approved by its Mayor at a regular meeting of the Council held this 26th day of May, 1992.


Gretchen A. Wilbert, Mayor

ATTEST:


Mark E. Hoppen
City Administrator/Clerk

Filed with city clerk: 5/8/92
Passed by city council: 5/26/92
Date published: 6/2/92
Date effective: 6/7/92